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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,965	08/17/2001	John Hediger	2001PI0619 US01	5422

7590 05/20/2004

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EXAMINER

TANG, KUO LIANG J

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,965

Applicant(s)

HEDIGER ET AL.

Examiner

Kuo-Liang J Tang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This Office Action is in response to the amendment filed on 3/08/2004.

The priority date is 06/11/2001.

Claims 1-4, 7, 8, 10-14, 16, 17 and 20-23 have been amended. Claims 1-23 remain pending in this application..

Claims 1-2, 4-5, 7-11, 13 and 15-21 remain rejected as now under 35 U.S.C. 102(a) as being anticipated by Delo US Patent No. 6,237,144.

Claim 6 remains rejected as now under 35 U.S.C. 103(a) as being unpatentable over Delo in view of Alam et al. US Patent No. 6,336,124.

Claims 3, 12, 14 and 22-23 remain rejected as now under 35 U.S.C. 103(a) as being unpatentable over Delo in view of Maxwell et al. US Patent No. 6,567,860.

Information Disclosure Statement

2. The information disclosure statement filed 03/08/2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred (EP 1001336A) to therein has not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-2, 4-5, 7-11, 13 and 15-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Delo US Patent No. 6,237,144.

As Per Claim 1, Delo discloses a method and system for installing computer programs is provided where installation is accomplished based on an "as complete" description of the installed features, components and resources of the computer program. (See Abstract and associated text). In that Delo discloses the method that covering the steps of:

"a. retrieving template (E.g. see FIG. 4 Feature Table 405 and associated text) installation instruction information from a persistent data store;"

"b. deriving installation related information supporting data exchange between different systems (E.g. see FIG. 1 personal computer 20 and remote computer 49 and associated text) from configuration data associated with the application;" (E.g. see FIG. 4 Feature / Component Table 415 and associated text);

"c. incorporating the derived installation related information into the template installation information to form installation instruction data;" (E.g. see FIG. 4 File Table 435 and Component Table 425 and associated text) and

"d. storing the derived installation instruction data." (E.g. see FIG. 5 Insatll Script 500 and associated text).

As per Claim 2, the rejection of claim 1 is incorporated and further Delo teaches wherein step (b) further comprises extracting installation data supporting data exchange between different systems from the configuration data, the installation data comprising at least two of:

"ii. an identity of data files comprising the application;" (E.g. see FIG. 4 file 436, 439 and associated text) and

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“vi. prompting questions to be answered by a user upon installation of the application.” (E.g. see col. 14:45 to col. 15:2).

As per Claim 4, the rejection of claim 1 is incorporated and further Delo teaches

“including the step of formatting the derived installation instruction data as installation documentation (E.g. see FIG. 6 Generate install script 665 and FIG. 5 install script 500 and associated text., e.g. col. 16:27-33) or reproduction on an output device, the output device comprising a printer (E.g. see col. 7:30-33) and a video display (E.g. see FIG. 1 monitor 49 and associated text, e.g. col. 7:30-33).”

As per Claim 5, the rejection of claim 1 is incorporated and further Delo teaches

“wherein the derived installation instruction data comprises installation instruction text data (E.g. see FIG. 4 file 436, 439 and associated text) for output as installation documentation.” (E.g. see FIG. 6 Generate install script 665 and FIG. 5 install script 500 and associated text., e.g. col. 16:27-33).

As per Claim 7, the rejection of claim 1 is incorporated and further Delo teaches

“wherein step (a) further comprises selecting a file (E.g. see FIG. 6 step 665 and FIG. 4 record 433 and associated text) containing the template installation instruction information from a plurality of files (E.g. FIG. 4 file table 435 and associated text) containing a corresponding plurality of installation instruction documentation templates for interface applications supporting data exchange between different systems.”

As per Claim 8, the rejection of claim 1 is incorporated and further Delo teaches

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“creating a prompt question generating routine for inclusion in the installation instruction data by incorporating prompt questions into a predetermined question prompting executable procedure, the prompt questions being for answer by a user upon installation of the application.” (E.g. see col. 14:45 to col. 15:2).

As per Claim 9, the rejection of claim 8 is incorporated and further Delo teaches

“wherein the prompt questions to be answered by a user upon installation of the application are derived from the configuration data.” (E.g. see col. 14:45 to col. 15:2).

As per Claim 10, the rejection of claim 1 is incorporated and further Delo teaches

“creating prompt question documentation for inclusion in the installation instruction data, the prompt question being for answer by a user upon installation of toe an interface application supporting data exchange, between different systems.” (E.g. see col. 14:45 to col. 15:2).

As per Claim 11, the rejection of claim 1 is incorporated and further Delo teaches

“providing a map for associating items of the derived installation related information and corresponding locations in the template installation information for use in incorporating the derived installation related information into the template installation information and supporting data exchange between different systems.” (E.g. see FIG. 4 table 405, 415, 425, 435 and associated text).

As per Claim 13, the rejection of claim 1 is incorporated and further Delo teaches

“the system for automated generation of installation instruction documentation for an executable software application is located on a storage medium together with the application.” (E.g. see col. 16:37-33, automated generated is inherent because there is no manual process involved).

As per Claim 15, the rejection of claim 1 is incorporated and further Delo teaches

“the template installation instruction information comprises predetermined text installation instructions and an executable procedure for generating installation instructions upon procedure execution.” (E.g. see FIG. 6, step 615, 620 and associated text, e.g. col. 14:45 to col. 15:23, default installation actions).

As per Claim 16, Delo teaches

“a. retrieving template (E.g. see FIG. 4 Feature Table 405 and associated text) installation instruction information from a data store, the installation instruction information including prompt questions (E.g. see col. 14:45 to col. 15:2). for answer by a user upon installation of the application;”

“b. deriving installation related information supporting data exchange between different systems (E.g. see FIG. 1 personal computer 20 and remote computer 49 and associated text) from configuration data associated with the application;” (E.g. see FIG. 4 Feature / Component Table 415 and associated text);

“c. incorporating the derived installation related information into the template installation information to form installation instruction data;” (E.g. see FIG. 4 File Table 435 and Component Table 425 and associated text) and

“d. presenting (E.g. see FIG. 1 monitor 49 and associated text, e.g. col. 7:30-33) the installation instruction data to a user during an installation of the application.”.

As per Claim 17, the rejection of claim 16 are incorporated and is rejected under the same reason set forth in connection of the rejection of claim 14.

As per Claim 18, the rejection of claim 16 is incorporated and further Delo teaches

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“creating a prompt question generating procedure for generating the. prompt questions for answer by the user.” (E.g. see col. 14:45 to col. 15:2).

As per Claim 19, the rejection of claim 16 is incorporated and further Delo teaches

“selecting the prompt questions from a larger set of prompt questions.” (E.g. see col. 14:45 to col. 15:2 and col. 3:22-37).

As per Claim 20, Delo teaches

“a. initiating display of application installation instructions including prompt questions for answer by a user (E.g. see col. 14:45 to col. 15:2) upon installation of the application, the application installation instructions being formed by:

- i. retrieving template (E.g. see FIG. 4 Feature Table 405 and associated text) installation instruction information from storage,
- ii. deriving installation related information supporting data exchange between different systems (E.g. see FIG. 1 personal computer 20 and remote computer 49 and associated text) from configuration data associated with the application” (E.g. see FIG. 4 Feature / Component Table 415 and associated text), and
- iii. incorporating; the derived installation related information into the template installation information to form the application installation instructions; (E.g. see FIG. 4 File Table 435 and Component Table 425 and associated text) and

b. installing the executable software application in response to user command received via the displayed prompt questions. (E.g. see FIG. 6 step 670 and associated text)”.

As per Claim 21, Delo teaches

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“a. initiating display of application installation instructions formed by:

- i. retrieving template (E.g. see FIG. 4 Feature Table 405 and associated text) installation instruction information from storage, the installation instruction information including prompt questions for answer by a user upon installation of the application (E.g. see col. 14:45 to col. 15:2),,
- ii. deriving installation related information supporting data exchange between different systems (E.g. see FIG. 1 personal computer 20 and remote computer 49 and associated text) from configuration data associated with the application” (E.g. see FIG. 4 Feature / Component Table 415 and associated text), and
- iii. incorporating; the derived installation related information into the template installation information to form the application installation instructions; (E.g. see FIG. 4 File Table 435 and Component Table 425 and associated text) and

b. installing the executable software application in response to user command received via the displayed prompt questions. (E.g. see FIG. 6 step 670 and associated text)”.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Delo in view of Alam et al. US Patent No. 6,336,124 (hereinafter Alam).

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As per Claim 6, the rejection of claim 5 is incorporated and further Delo doesn't explicitly disclose output document in different formats. However, Alam teaches "selecting an output format for the installation documentation, the output format comprising Rich Text Format, Microsoft.RTM. Word compatible format, HTML document format, and Extensible Mark-up Language (XML) compatible format." (E.g., see col. 1:60-67 to col. 2:1-11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Alam into the system of Delo, to output document in different formats. The modification would have been obvious because one of ordinary skill in the art would have been motivated to do so because it would provide Delo with a versatile system (can convert a document stored in one format to different formats).

5. Claims 3, 12, 14 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Delo in view of Maxwell et al. US Patent No. 6,567,860 (hereinafter Maxwell).

As per Claim 3, the rejection of claim 1 is incorporated and further Delo doesn't explicitly disclose an interface application. However, Maxwell teaches "an interface application enabling communication between said different systems and said different systems (E.g. O.S and device driver) comprise executable applications (E.g. see FIG. 5 files 505 and associated text, e.g. .INF file)". Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Maxwell into the system of Delo, to support an interface application installation. The modification would have been obvious because one of ordinary skill in the art would have been motivated to enable the Operating System (OS) to recognize the new hardware device during installation of the OS and to permit the OS to automatically install the associated device driver.

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As per Claim 12, the rejection of claim 1 is incorporated and further Delo doesn't explicitly disclose an interface application. However, Maxwell teaches "application is an interface application (E.g. see col. 1:21-41, device driver) used in exchanging data between different systems (E.g. O.S and device driver) comprising a first executable application and a different second executable application (E.g. see FIG. 5 files 505 and associated text, e.g. .INF file); and further comprising prompting a user to select at least one (E.g. see FIG. 5 box 503 and associated text) of the first executable application and the second executable application." Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Maxwell into the system of Delo, to support an interface application installation. The modification would have been obvious because one of ordinary skill in the art would have been motivated to enable the Operating System (OS) to recognize the new hardware device during installation of the OS and to permit the OS to automatically install the associated device driver.

As per Claim 14, the rejection of claim 1 is incorporated and further the combination of Delo and Maxwell teach "said executable software application is an interface application enabling communication and data exchange between said different systems and said different systems comprise executable applications to be enabled to communicate using installation data extracted from the configuration data, including a communication protocol identifier (E.g. see Delo col. 7:23-33, e.g USB)" (Again, see noted above of Claim 3).

As per Claim 22, the rejection of claim 21 are incorporated and is rejected under the same reason set forth in connection of the rejection of claim 12.

As per Claim 23, Delo teaches

"a. configuration data (E.g. see FIG. 4 and associated text , e.g. col. 12:15-39) for a software;"

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“b. a template (E.g. see FIG. 4 Feature Table 405 and associated text), comprising documentation and data fields to receive one or more configuration data elements;”

“c. a computer system comprising a memory and a processor;” (E.g. see FIG. 1 processor 21, system memory 22 and associated text) and

“d. software executable in the computer system for creating a data file (E.g. see FIG. 5 install script 500 and associated text) containing installation data supporting data exchange between different systems (E.g. see FIG. 1 personal computer 20 and remote computer 49 and associated text) derived from configuration data and incorporated into the template, the installation data comprising documentation of an installation process for the software. (E.g. see FIG. 4 Feature / Component Table 415 and associated text)”

Delo doesn't explicitly disclose a software interface. However, Maxwell teaches “software interface (E.g. see col. 1:21-41, device driver)”. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Maxwell into the system of Delo, to support an software interface installation. The modification would have been obvious because one of ordinary skill in the art would have been motivated to enable the Operating System (OS) to recognize the new hardware device during installation of the OS and to permit the OS to automatically install the associated device driver.

Response to Arguments

6. Applicant's arguments with respect to claim 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Correspondence Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is 703-305-4866. The examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on 703-305-4552.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306.

Kuo-Liang J. Tang

Software Engineer Patent Examiner


TUAN DAM
SUPERVISORY PATENT EXAMINER